

## **NEW HAMPSHIRE SUPREME COURT**

### **3JX ORAL ARGUMENT LIST**

**January 17, 2007**

The cases listed below are scheduled for oral argument on January 17, 2007, before a panel of three Supreme Court justices (3JX). Please be aware of the following:

1. The 3JX procedure is described in Supreme Court Rule 12-D.
2. Each side will receive five minutes of uninterrupted argument; questions will be asked after the allotted time has expired. Persons presenting oral argument should assume that the justices are familiar with the facts and should address the merits of their argument.
3. The panel's written decision must be unanimous. If the justices disagree or believe that the case should be the subject of a full written opinion, it will be referred to the full court in accordance with Rule 12-D.
4. **NOTE THE CHECK-IN TIME FOR YOUR CASE.** Arguments are scheduled to begin at 9:30 a.m. Persons presenting oral argument in cases one through five must check in with the receptionist by 9:00 a.m. Persons presenting oral argument in cases six through ten must check in by 10:00 a.m.
5. The order of the argument is subject to change by the court.
6. The moving party is responsible for ensuring that any portions of the record necessary to decide the issues presented by the case are available for court review. (See generally Supreme Court Rules 13 and 14).

### **N O T I C E S**

**IT IS A CLASS B FELONY TO CARRY A FIREARM OR DEADLY WEAPON, AS DEFINED IN RSA 625:11, V, INTO A COURTROOM OR AREA USED BY A COURT.**

**ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD ADVISE THE CLERK OF COURT AS FAR IN ADVANCE OF ORAL ARGUMENT AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.**

**Wednesday, January 17, 2007, beginning at 9:30 a.m.:**

**Check-in 9:00 a.m.:**

1. 2005-0727 In the Matter of John M. Maynard and Ingrid I. Maynard  
Joshua L. Gordon for John M. Maynard (5 min.)  
BCL&I (Kathleen A. Hickey) for Ingrid I. Maynard (5 min.)

**GALWAY and HICKS, JJ., DISQUALIFIED**

2. 2006-0047 Sally K. Bonnvie and William v. Beaulieu-Lindquist Real Estate,  
Bonnie Inc.  
CRM&L W&N  
(Kenneth D. Murphy) (Gary M. Burt)  
(5 min.) (5 min.)

**HICKS, J., DISQUALIFIED**

3. 2006-0267 State of New Hampshire v. Harold McAllister  
Attorney General DL&G  
(Stephen D. Fuller) (Richard J. Lehmann)  
(5 min.) (5 min.)

4. 2005-0812 State of New Hampshire v. Cleidemar M. DeSouza  
Attorney General Appellate Defender  
(Nicholas Cort) (David M. Rothstein)  
(5 min.) (5 min.)

**BRODERICK, C.J., DISQUALIFIED**

5. 2006-0210 Appeal of Aman Ullah  
(Compensation Appeals Board)  
HBM&L (Jon N. Strasburger) for Aman Ullah (5 min.)  
DM&B (Eric G. Falkenham) for Sheehan Pipeline Construction  
(5 min.)  
Attorney General

**Wednesday, January 17, 2007 3JX:**

**Check-in 10:00 a.m.:**

- |               |   |    |  |
|---------------|---|----|--|
| 6. 2005-0892  | Demoulas Supermarket, Inc.<br>d/b/a Market Basket<br>DT&C<br>(Robert D. Ciandella)<br>(5 min.)  | v. | City of Portsmouth<br><br>MT&G for Intervenor Michael's<br>Realty Trust<br>(Malcolm R. McNeill, Jr.)<br>(5 min.) |
| 7. 2006-0157  | Paul F. Blizzard<br>HP&L<br>(Edgar D. McKean, III)<br>(5 min.)  | v. | Elaine M. Blizzard<br>MM&L<br>(William Philpot, Jr.)<br>(5 min.)   |
| 8. 2005-0935  | Cuisi Design A.B. Inc.<br>George J. Basbanes<br>(5 min.)  | v. | June C. Pastman<br>Cynthia M Weston<br>(5 min.)  |
| 9. 2006-0454  | Appeal of George Seeton<br>(Compensation Appeals Board)<br>James E. Townsend for George Seeton (5 min.)<br>S&H (Maureen L. Pomeroy) for United Parcel Service Inc. and<br>Liberty Mutual Insurance (5 min.) |    |  |
| 10. 2006-0041 | In re Juvenile 2006-0041<br>Harris L/O (Kristen S. Harris) for mother (5 min.)<br>Attorney General (Ann F. Larney) for DCYF (5 min.)  |    |  |

NOTE: The following case has not been scheduled for the January 2007 3JX session, but it is on call as a possible replacement case should any of the scheduled cases settle or be continued. Counsel should mark their calendars accordingly. At least five days notice will be given if a replacement case is scheduled for argument. If this case is not heard at the January 2007 3JX session, it will be scheduled during the next oral argument session.

1. 2006-0461      Appeal of Tina Silk  
                         (Compensation Appeals Board)  
                         Johnson L/O (Leslie H. Johnson) for Tina Silk (5 min.)  
                         DE&J (Scott A. Ewing) for Wichers Sportswear, Inc. (5 min.)

**HICKS, J., DISQUALIFIED**

December 1, 2006

Attest: \_\_\_\_\_  
                         Eileen Fox, Clerk